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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/456,793	12/08/1999	Christopher L. Knauf	MEDIDNA.049A	6923
30948	7590	10/16/2006	EXAMINER	
CLOCK TOWER LAW GROUP 2 CLOCK TOWER PLACE, SUITE 255 MAYNARD, MA 01754-2545			NGUYEN, MAIKHANH	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/456,793

Applicant(s)

KNAUFT ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***DETAILED ACTION***

1. This action is responsive to communications: Amendment filed 07/17/2006 to the original application filed 12/08/1999.

Claims 1-27 are currently pending in this application. Claims 1, 12, 19, and 25 are independent claims.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

*This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).*

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Burrows** (U.S. 5,864,863 – filed 08/1996) in view of **Stark** (U.S. 5,935,210 – filed 11/1996)

**As to claim 12:**

Burrows teaches a method of providing index information for secure graphical or audio objects, the method comprising:

- reading index information (*e.g., read location of specified index entries; col. 3, lines 19-21/ col. 12, lines 18-29 & col. 28, lines 52-65*) that is associated with a secure graphical or audio object (*e.g., multimedia items including digitized graphic, audio or video components; col. 7, lines 1-10*), wherein the index information is structured for use in an index database of a search engine system (*e.g., a search engine 140 is provided. The search engine 140 includes means for parsing the pages, means for indexing the parsed pages, means for searching the index, and means for presenting information about the pages 200 located... For smaller databases, the search engine can be run on the computer storing the database... The search engine 140 can include an automated Web browser 20, a parsing module 30, an indexing module 40, a query module 50, index stream readers (ISR) 60, an index 70, and a maintenance module 80; col. 4, line 62-col.5, line 11*);
- obfuscating at least a portion of the index information so that the intelligibility of the index information is reduced (*e.g., reduce the size of their indices have been made by excluding commonly occurring English words such as "a," "the," "of," and "in."*; *col. 1, lines 44-47 / col. 5, line 38-col. 6, line 6 / col. 11, lines 23-col. 12, line 16*); and

- transmitting the index information to the search engine system, wherein the index information is for use in the index database of the search engine system (e.g., *Users interact with the index 70 via the query module 50 by providing queries 52. Users can be located remotely or locally with respect to the search engine 140. The terms of a query can include words and phrases, e.g., multiple words inclosed in quotation marks ("). The terms can be related by Boolean operators such as OR, AND, and NOT to form expressions. ... During operation, the query module 50 analyzes the queries 52 to generate query requests 54... presentation module 58 delivers information 59 about the qualifying pages to the users; col.6, lines 7-29).*

Burrows does not specifically teach the search engine systems do not have full access to the secure graphical or audio object, and wherein search engine do not have access to the index information associated with the secure graphical or audio object.

Stark teaches the search engine systems do not have full access to the secure graphical or audio object, and wherein search engine do not have access to the index information associated with the secure graphical or audio object (e.g., *the spider used in the resource mapper honors the robot exclusion protocol. This protocol was developed to allow site administrators to prevent spiders, or robots, from accessing resources in a site. The*

*protocol calls for the site administrator to store in the server maintaining the site a file ("/robots.txt") that indicates which resources should not be accessed by spiders. With the resource mapper, instead of simply instructing spiders not to crawl on a site, the site administrator may provide the URL of a resource map of the site and instruct the spiders to retrieve the site map; col. 9, lines 34-44).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature from Stark in the system of Burrows because it would have provided the capability for preventing a spider from directly accessing resources in a computer system to gather information about the hyperlink structure of the resources by detecting when the spider is attempting to access one of the resources and instructing the spider instead to access another resource containing information about the hyperlink structure of the resources.

**As to claim 13:**

Burrows teaches dynamically generating an electronic document which comprises at least portion of the obfuscated index information (*col. 5, line 38-col. 6, line 6; and col. 11, line 23-col. 12, line 16*).

**As to claim 14:**

Burrows teaches dynamically generating an electronic document which comprises customizing, is based at least in part upon the contents of the index characteristics of one

or more the search engine systems, the content of the electronic document (*col. 13,, lines 39-51*).

**As to claim 15:**

Burrows teaches a HyperText Markup Language file (*e.g., a Hyper Text Markup Language; col. 7, lines 1-11*).

**As to claim 16:**

Burrows teaches the secure audiovisual object comprises a bitmap image (*col. 1, lines 30-34 & col. 7, lines 1-10*).

**As to claim 17:**

Burrows teaches the secure audiovisual object comprises a multimedia presentation (*col. 1, lines 30-34 & col. 7, lines 1-10*).

**As to claim 18:**

Burrows teaches a streaming media file (*col. 12, lines 16-61*).

**As to claim 1:**

The rejection of claim 12 above is incorporated herein in full. Additionally, Burrows further teaches converting at least a portion of a secure audiovisual object into index information (*e.g., The pages 200 can be data records including as content plain textual*

*information, or more complex digitally encoded multimedia content, such as software programs, graphics, audio signals, videos, and so forth...the system can also be used for locating and indexing information via other wide or local area networks; col.4, lines 27-44).*

**As to claims 2-5, 8, and 10:**

Note the discussions of claims 13-16, 17, and 18, respectively for rejections.

**As to claim 6:**

Burrows teaches the secure audiovisual object comprises music (*col. 1, lines 30-34 & col. 7, lines 1-10*).

**As to claim 7:**

Burrows teaches identifying one or more words in the lyrics of the music (*col.4, lines 27-44*).

**As to claim 9:**

Burrows teaches reading close captioned information that is associated with the audiovisual object (*col.6, lines 16-29*).

**As to claim 11:**

Note the discussion of claim 9 above for rejection.



**As to claim 25:**

The rejection of claim 12 above is incorporated herein in full. Additionally, Burrows teaches converting at least a portion of a secure audiovisual object into index information (*e.g., The pages 200 can be data records including as content plain textual information, or more complex digitally encoded multimedia content, such as software programs, graphics, audio signals, videos, and so forth...the system can also be used for locating and indexing information via other wide or local area networks; col.4, lines 27-44*) and dynamically generating an electronic document based at least in part upon the contents of the index information (*e.g., As the first level compressed data structure 71 is being generated, a second level summary data structure 72 can also generated...the third level summary data structure 73 can dynamically be generated; col.12, line 63-col.13, line 51*).

**As to claims 26 and 27:**

Note the discussions of claims 14 and 15, respectively, for rejections.

**As to claim 19:**

The rejection of claim 12 above is incorporated herein in full. Additionally, Burrows further teaches a web server connected to a network, said web server operable to manage a content owner's secure graphical or audio objects (*see fig.2 and the associated text*).

Burrows does not specifically teach granting and denying access to secure content requesters, wherein search engine systems are denied access to said objects.

Stark teaches granting and denying access to secure content requesters, wherein search engine systems are denied access to said objects (*e.g., the spider used in the resource mapper honors the robot exclusion protocol. This protocol was developed to allow site administrators to prevent spiders, or robots, from accessing resources in a site. The protocol calls for the site administrator to store in the server maintaining the site a file ("/robots.txt") that indicates which resources should not be accessed by spiders. With the resource mapper, instead of simply instructing spiders not to crawl on a site, the site administrator may provide the URL of a resource map of the site and instruct the spiders to retrieve the site map; col. 9, lines 34-44*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature from Stark in the system of Burrows because it would have provided the capability for preventing a spider from directly accessing resources in a computer system to gather information about the hyperlink structure of the resources by detecting when the spider is attempting to access one of the resources and instructing the spider instead to access another resource containing information about the hyperlink structure of the resources.

**As to claims 20 and 21:**

Note the discussions of claims 14 and 15, respectively, for rejections.

**As to claims 22-24:**

Note the discussions of claims 5, 8, and 10, respectively, for rejections.

***Response to Arguments***

4. Applicants' arguments filed 07/17/2006 have been fully considered but are moot in view of the new ground(s) rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rubin	U.S. Pat. No. 5,778,378	Issued: Jul. 7, 1998
Hoekstra	U.S. Pat. No. 5,905,862	Issued: May 18, 1999
Brown et al.	U.S. Pat. No. 5,913,208	Issued: Jun 15, 1999
Hughes	U.S. Pat. No. 6,065,055	Issued: May 16, 2000
Bowen et al.	U.S. Pat. No. 6,094,649	Issued: Jul. 25, 2000
Mauldin	U.S. Pat. No. 6,587,048	Issued: Jun. 10, 2003

*Contact information*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

  
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